

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ROSA CAMARILLO,
Plaintiff,

v.

LOWE'S HOME CENTERS, INC. and
LOWE'S HOME CENTERS, LLC
Defendants.

§
§
§
§
§
§
§

CIVIL ACTION NO. 1:20-cv-200
JURY TRIAL DEMANDED

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ROSA CAMARILLO,
Plaintiff,

v.

LOWE'S HOME CENTERS, INC. and
LOWE'S HOME CENTERS, LLC
Defendants.

§
§
§
§
§
§
§

CIVIL ACTION NO. 1:20-cv-200
JURY TRIAL DEMANDED

**DEFENDANT LOWE'S HOME CENTERS, LLC'S
INDEX OF MATTERS BEING FILED**

Pursuant to Local Rule CV-81, Defendant LOWE'S HOME CENTERS, LLC hereby attaches this Index of Matters Being Filed to its Notice of Removal.

Exhibit 1: All Executed Process

- Executed Service of Process on Lowe's Home Centers, LLC on November 2, 2020
- Executed Service of Process on Lowe's Home Centers, Inc. on November 2, 2020

Exhibit 2: All State Court Pleadings

- Plaintiff's Original Petition filed October 27, 2020
- Defendant Lowe's Home Centers, LLC's Original Answer with Jury Demand Filed on November 23, 2020

Exhibit 3: State Court Docket Sheet

Exhibit 4: List of all counsel of record, including addresses, telephone numbers and parties represented

EXHIBIT 1

CITATION – PERSONAL SERVICE – TRCP 99

THE STATE OF TEXAS

2020-DCL-05234-H

Rosa Camarillo § IN THE 444TH DISTRICT COURT
VS § OF
Lowe's Home Centers, Inc. § CAMERON COUNTY, TEXAS

TO **Lowe's Home Centers, Inc.**
May Be Served By Serving Its Registered Agent:
Corporation Service Company d/b/a CSC -Lawyers Incorporating Service Company
211 E 7th Street Suite 620
Austin TX 78701

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to **Plaintiff's Original Petition And Request For Disclosure** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 444th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiff's Original Petition And Request For Disclosure** was filed in said court on **October 27, 2020**, in the above entitled cause.

2020-DCL-05234-H

Rosa Camarillo vs. Lowe's Home Centers, Inc.,
Lowe's Home Centers, LLC

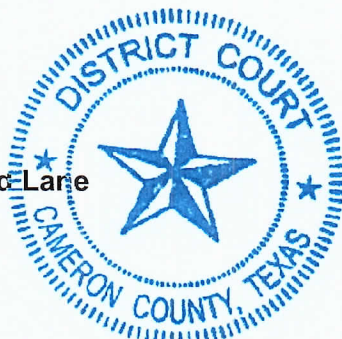
The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition And Request For Disclosure** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 29th day of October, 2020.

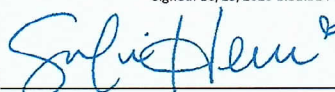
ATTORNEY:

Myles Anthony Lenz
24092685
214-389-7333
1111 West Mockingbird Lane
Suite 1160
Dallas TX 75247

**Elvira S. Ortiz**

District Clerk of Cameron County
974 E Harrison St.
Brownsville, Texas 78520

Signed: 10/29/2020 1:31:51 PM

By: 
Sofia Herrera, Deputy Clerk

2020-DCL-05234-H
444th District CourtRosa Camarillo vs. Lowe's Home Centers, Inc., Lowe's
Home Centers, LLC

RETURN OF SERVICE

Executed when copy is delivered:

This is a true copy of the original citation, was delivered to defendant _____, on the _____ day of _____, 20_____.

NAME/ADDRESS FOR SERVICE

Officer
County, TX

By: _____ Deputy

OFFICERS RETURN

Came to hand on the _____ day of _____, at _____ o'clock _____ m and _____ County, Texas, by delivering to each of the within named defendants in person, a true copy of this _____ with the date of delivery endorsed thereon, together with the accompanying copy of the _____ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE
------	-----------	---------------------------------------

And not executed as to the defendant(s), _____
The diligence used in finding said defendant(s) being: _____

and the cause or failure to execute this process is: _____

and the information received as to the whereabouts of said defendant(s) being: _____

FEES:

SERVING PETITION/COPY \$ _____

TOTAL: \$ _____

Officer
County, TX

By: _____ Deputy

AFFIANT

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty or perjury and contain the following statement:

"My name is _____, my date of birth is _____, my address is _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in _____ County, State of _____, on the _____ day of _____, 20_____.

ID Number/Expiration of Certification _____

Declarant/Authorized Process Server _____

AFFIDAVIT OF SERVICE

State of Texas

County of Cameron

44th District Court

Case Number: 2020-DCL-05234-H

Plaintiff:

ROSA CAMARILLO

vs.

Defendant:

**LOWE'S HOME CENTERS, INC. and
LOWE'S HOME CENTERS, LLC**

For:

Myles Lenz
1111 W. Mockingbird Ln
Suite 1160
Dallas, TX 75247

Received by On Time Couriers/Process on the 2nd day of November, 2020 at 11:56 am to be served on **Lowe's Home Centers, Inc. b/s r/a Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701.**

I, Mike Techow, being duly sworn, depose and say that on the **2nd day of November, 2020 at 3:00 pm, I:**

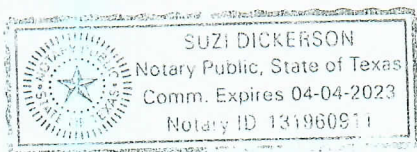
delivered to **REGISTERED AGENT** by delivering a true copy of the **Citation, Copy of Plaintiffs Original Petition with Request for Disclosure** with the date of service endorsed thereon by me, to: **Samantha Guerra, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company as Authorized Agent** at the address of: **211 E. 7th Street, Suite 620, Austin, TX 78701** on behalf of **Lowe's Home Centers, Inc.**, and informed said person of the contents therein, in compliance with state statutes.

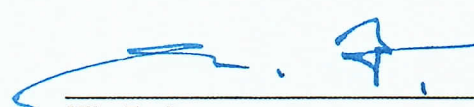
Description of Person Served: Age: 30, Sex: F, Race/Skin Color: Hispanic, Height: 5'6, Weight: 170, Hair: Black, Glasses: Y

I certify that I am over the age of 18, of sound mind, have no interest in the above action. The facts stated in this affidavit are within my personal knowledge and are true and correct.

Subscribed and Sworn to before me on the 2nd day of November, 2020 by the affiant who is personally known to me.


NOTARY PUBLIC




Mike Techow
PSC-1215, Exp. 7/31/2022

On Time Couriers/Process
1700 Pacific Avenue
Ste 1040
Dallas, TX 75201
(214) 740-9999

Our Job Serial Number: ONT-2020005315
Ref: Camarillo

CITATION – PERSONAL SERVICE – TRCP 99

THE STATE OF TEXAS

2020-DCL-05234-H

Rosa Camarillo § IN THE 444TH DISTRICT COURT
VS § OF
Lowe's Home Centers, Inc. § CAMERON COUNTY, TEXAS

TO **Lowe's Home Centers, LLC**
May Be Served By Serving Its Registered Agent Corporation
Service Company d/b/a CSC-Lawyers Incorporating Service Company
211 E 7th Street Suite 620
Austin TX 78701

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to **Plaintiff's Original Petition And Request For Disclosure** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 444th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiff's Original Petition And Request For Disclosure** was filed in said court on **October 27, 2020**, in the above entitled cause.

2020-DCL-05234-H

Rosa Camarillo vs. Lowe's Home Centers,
Inc.,Lowe's Home Centers, LLC

The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition And Request For Disclosure** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 29th day of October, 2020.

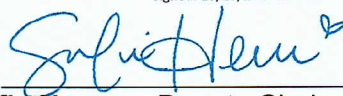
ATTORNEY:

Myles Anthony Lenz
24092685
214-389-7333
1111 West Mockingbird Lane
Suite 1160
Dallas TX 75247

**Elvira S. Ortiz**

District Clerk of Cameron County
974 E Harrison St.
Brownsville, Texas 78520

Signed: 10/29/2020 1:33:32 PM

By: 
Sofia Herrera, Deputy Clerk

2020-DCL-05234-H
444th District CourtRosa Camarillo vs. Lowe's Home Centers, Inc., Lowe's
Home Centers, LLC

RETURN OF SERVICE

Executed when copy is delivered:

This is a true copy of the original citation, was delivered to defendant _____, on the _____ day of _____, 20_____.

NAME/ADDRESS FOR SERVICE _____

County, TX

By: _____ Deputy

OFFICERS RETURN

Came to hand on the _____ day of _____, at _____ o'clock _____ m and _____ County, Texas, by delivering to each of the within named defendants in person, a true copy of this _____ with the date of delivery endorsed thereon, together with the accompanying copy of the _____ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being: _____

and the cause or failure to execute this process is: _____

and the information received as to the whereabouts of said defendant(s) being: _____

FEES:

SERVING PETITION/COPY \$ _____

TOTAL: \$ _____

County, TX

By: _____ Deputy

AFFIANT

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty or perjury and contain the following statement:

"My name is _____, my date of birth is _____, my address is _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in _____ County, State of _____, on the _____ day of _____, 20_____.

ID Number/Expiration of Certification _____

Declarant/Authorized Process Server _____

AFFIDAVIT OF SERVICE

State of Texas

County of Cameron

44th District Court

Case Number: 2020-DCL-05234-H

Plaintiff:

ROSA CAMARILLO

vs.

Defendant:

**LOWE'S HOME CENTERS, INC. and
LOWE'S HOME CENTERS, LLC**

For:

Myles Lenz
1111 W. Mockingbird Ln
Suite 1160
Dallas, TX 75247

Received by On Time Couriers/Process on the 2nd day of November, 2020 at 11:53 am to be served on **Lowe's Home Centers, Llc b/s r/a Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701.**

I, Mike Techow, being duly sworn, depose and say that on the **2nd day of November, 2020 at 3:00 pm, I:**

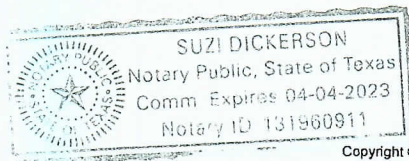
delivered to **REGISTERED AGENT** by delivering a true copy of the **Citation, Copy of Plaintiffs Original Petition with Request for Disclosure** with the date of service endorsed thereon by me, to: **Samantha Guerra, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company as Authorized Agent** at the address of: **211 E. 7th Street, Suite 620, Austin, TX 78701** on behalf of **Lowe's Home Centers, Llc**, and informed said person of the contents therein, in compliance with state statutes.


Description of Person Served: Age: 30, Sex: F, Race/Skin Color: Hispanic, Height: 5'6, Weight: 170, Hair: Black, Glasses: Y

I certify that I am over the age of 18, of sound mind, have no interest in the above action. The facts stated in this affidavit are within my personal knowledge and are true and correct.

Subscribed and Sworn to before me on the 2nd day of November, 2020 by the affiant who is personally known to me.


NOTARY PUBLIC




Mike Techow
PSC-1215, Exp. 7/31/2022

On Time Couriers/Process
1700 Pacific Avenue
Ste 1040
Dallas, TX 75201
(214) 740-9999

Our Job Serial Number: ONT-2020005314
Ref: Camarillo

EXHIBIT 2



Notice of Service of Process

null / ALL
Transmittal Number: 22248209
Date Processed: 11/03/2020

Primary Contact: Heather McClow
Lowe's Companies, Inc.
1000 Lowes Blvd
 Mooresville, NC 28117-8520

Entity:	Lowe's Home Centers, LLC Entity ID Number 2515365
Entity Served:	Lowe's Home Centers, Inc.
Title of Action:	Rosa Camarillo vs. Lowe's Home Centers, Inc.
Matter Name/ID:	Rosa Camarillo vs. Lowe's Home Centers, Inc. (10631676)
Document(s) Type:	Citation/Petition
Nature of Action:	Personal Injury
Court/Agency:	Cameron County District Court, TX
Case/Reference No:	2020-DCL-05234
Jurisdiction Served:	Texas
Date Served on CSC:	11/02/2020
Answer or Appearance Due:	10:00 am Monday next following the expiration of 20 days after service
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	Myles A. Lenz 214-389-7333

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

CITATION – PERSONAL SERVICE – TRCP 99

THE STATE OF TEXAS

2020-DCL-05234-H

DELIVERED
11 / 2 / 2020
By Q. C. R. 15
Austin Process, LLC

Rosa Camarillo § IN THE 444TH DISTRICT COURT
VS § OF
Lowe's Home Centers, Inc. § CAMERON COUNTY, TEXAS

TO **Lowe's Home Centers, Inc.**
May Be Served By Serving Its Registered Agent:
Corporation Service Company d/b/a CSC -Lawyers Incorporating Service Company
211 E 7th Street Suite 620
Austin TX 78701

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to **Plaintiff's Original Petition And Request For Disclosure** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 444th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiff's Original Petition And Request For Disclosure** was filed in said court on **October 27, 2020**, in the above entitled cause.

2020-DCL-05234-H

Rosa Camarillo vs. Lowe's Home Centers, Inc.,
Lowe's Home Centers, LLC

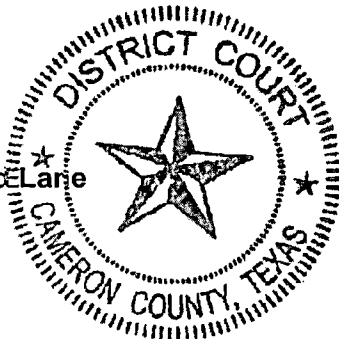
The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition And Request For Disclosure** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 29th day of October, 2020.

ATTORNEY:

Myles Anthony Lenz
24092685
214-389-7333
1111 West Mockingbird Lane
Suite 1160
Dallas TX 75247



Elvira S. Ortiz

District Clerk of Cameron County
974 E Harrison St.
Brownsville, Texas 78520

Signed: 10/29/2020 1:31:51 PM

By: Sofia Herrera
Sofia Herrera, Deputy Clerk

2020-DCL-05234-H
444th District CourtRosa Camarillo vs. Lowe's Home Centers, Inc., Lowe's
Home Centers, LLC**RETURN OF SERVICE**

Executed when copy is delivered:

This is a true copy of the original citation, was delivered to defendant _____, on the ____ day of _____, 20____.

NAME/ADDRESS FOR SERVICE

County, TX

By: _____ Deputy

OFFICERS RETURN

Came to hand on the ____ day of _____, at ____ o'clock ____ m and _____ County, Texas, by delivering to each of the within named defendants in person, a true copy of this _____ with the date of delivery endorsed thereon, together with the accompanying copy of the _____ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s), _____

The diligence used in finding said defendant(s) being: _____

and the cause or failure to execute this process is: _____

and the information received as to the whereabouts of said defendant(s) being: _____

FEES:

SERVING PETITION/COPY \$ _____

TOTAL: \$ _____

County, TX

By: _____ Deputy

AFFIANT

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty or perjury and contain the following statement:

"My name is _____, my date of birth is _____, my address is _____

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in _____ County, State of _____, on the ____ day of _____, 20____.

ID Number/Expiration of Certification

Declarant/Authorized Process Server

CAUSE NO. 2020-DCL-05234

ROSA CAMARILLO

Plaintiff,

v.

LOWE'S HOME CENTERS, INC. and
LOWE'S HOME CENTERS, LLC*Defendants.*§
§
§
§
§
§
§
§
§IN THE DISTRICT COURT
Cameron County - 444th District Court

____ JUDICIAL DISTRICT

CAMERON COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION AND REQUEST FOR DISCLOSURE

Rosa Camarillo files her Original Petition complaining of Defendants Lowe's Home Centers Inc. and Lowe's Home Centers, LLC (collectively as "Defendants") and respectfully shows the Court the following in support:

I.**DISCOVERY CONTROL PLAN**

1. Plaintiff intends to pursue this as a Level 3 of Rule 190.4 of the *Texas Rules of Civil Procedure*.
2. As required by Rule 47(c) of the *Texas Rules of Civil Procedure*, Plaintiff's counsel states that Plaintiff seeks monetary relief, the maximum of which is over \$250,000.00, but not more than \$1,000,000.00. Plaintiff demands judgment for all the other relief to which she is deemed entitled. The amount of monetary relief actually awarded, however, will ultimately be determined by a jury. Plaintiff also seeks pre-judgment and post-judgment interest at the highest legal rate.

II.**PARTIES AND SERVICE**

3. Plaintiff Rosa Camarillo ("Plaintiff" or "Rosa") is an individual who resides in Hidalgo County, Texas.

4. Defendant Lowe's Home Centers, Inc. ("Lowe's Inc.") is a foreign for-profit corporation organized under the laws of North Carolina and headquartered in North Carolina. It may be served with process by serving its registered agent: Corporation Service Company d/b/a CSC- Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620 Austin, Texas 78701.

5. Defendant Lowe's Home Centers, LLC ("Lowe's LLC") is a foreign limited liability company organized under the laws of North Carolina and headquartered in North Carolina. It may be served with process by serving its registered agent: Corporation Service Company d/b/a CSC- Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620 Austin, Texas 78701.

III. **JURISDICTION AND VENUE**

6. The Court has subject matter jurisdiction over this lawsuit because the amount in controversy is within the jurisdictional limits of this Court.

7. Venue is proper in Cameron County, Texas because all or a substantial part of the events and/or omissions giving rise to Plaintiff's claim occurred in Cameron County, Texas. TEX. CIV. PRAC. & REM. CODE § 15.002(a)(1).

IV. **BACKGROUND FACTS**

8. On July 2, 2019, Rosa visited the Lowe's in Harlingen, Texas located at 4705 S. Expressway 77/83, Harlingen, Texas 78550 (the "Premises") to purchase some items. As she was leaving the store, Rosa tripped on a section of uneven asphalt in the parking lot and suffered severe personal injuries.

9. Plaintiff's injuries were caused by one or more negligent acts and/or omissions on the part of the Defendants. The negligent acts were the proximate cause of Plaintiff's serious and debilitating personal injuries. The fall and all damages and injuries resulting from the fall were not

caused nor contributed to by Plaintiff or an innocent third party; but were caused solely by the acts, wrongs, and/or omissions of the Defendants, which said acts, wrongs, and/or omissions were the proximate cause of the injuries and damages Plaintiff's sustained.

V.
PREMISES LIABILITY

10. Defendants owned and/or were in possession and/or control of the Premises at the time Plaintiff tripped and fell. Plaintiff entered the premises as a business patron for their mutual benefit. A condition on the Premises, the uneven asphalt in the parking lot, posed an unreasonable risk of harm. Defendants knew or should have known of the dangerous condition. Defendants had a duty to use ordinary care to ensure that the Premises did not present a danger to Plaintiff. This duty induced the duty to inspect and the duty to warn or to cure. Defendant breached the duty of ordinary care by failing to inspecting and/or failing to warning and/or failing to cure the unreasonably dangerous condition. Defendants' breach of duty proximately caused the injuries to Plaintiff.

VI.
DAMAGES

11. As a result of Defendants' actions, Plaintiff suffered severe personal injury. Plaintiff hereby sue for the following items of damage:

- a. Physical pain and suffering the past;
- b. Physical pain and suffering that Plaintiff will experience in the future;
- c. Mental anguish suffered in the past;
- d. Mental anguish Plaintiff will experience in the future;
- e. Medical expenses incurred in the past;
- f. Medical expenses the Plaintiff will incur in the future;
- g. Physical impairment suffered in the past; and

h. Physical impairment the Plaintiff will suffer in the future.

12. By reason of the facts alleged in this petition, Plaintiff has been made to suffer and sustain at the hands of the Defendants damages within the jurisdictional requirements of this Court and in such an amount as evidence may show proper at the time of trial.

VII.
PREJUDGMENT AND POST JUDGMENT INTEREST

13. Plaintiff seeks prejudgment and post judgment interest as allowed by law. Plaintiff sues each Defendant jointly and severally.

VIII.
COURT COSTS

14. Plaintiff sues to recover court costs as allowed by law.

IX.
DEMAND FOR JURY TRIAL

15. Plaintiff demands jury trial and has tendered the appropriate fee.

X.
REQUEST FOR DISCLOSURE

16. Under the authority of Texas Rule of Civil Procedure 194, Plaintiff requests that the Defendants disclose within fifty (50) days of the service of this request, the information or material described in Rule 194.2

XI.
RULE 193.7 NOTICE

17. Plaintiff intends to use Defendants' discovery responses as evidence at trial in accordance with such right and privileges established by Texas Rule of Civil Procedure 193.7

XII.
PRAYER

18. For these reasons, Plaintiff prays that Defendants be cited to appear and answer herein, and that upon final hearing hereof, Plaintiff has judgment against Defendants for actual damages, prejudgment and post judgment interest, and costs. Plaintiff further prays for such other and further relief, at law or in equity, general or specific, that Plaintiff may be justly entitled.

Respectfully submitted,

By: /s/ Myles A. Lenz

Ramez F. Shamieh
Louisiana State Bar No. 35558
Texas State Bar No. 24066683
New York State Bar No. 5280219
Myles A. Lenz
Texas State Bar No. 24092685
myles@shamiehlaw.com

SHAMIEH LAW, PLLC
1111 West Mockingbird Lane, Suite 1160
Dallas, Texas 75247
214.389.7333 telephone
214.389.7335 facsimile
ATTORNEYS FOR PLAINTIFF

CAUSE NO. 2020-DCL-05234

ROSA CAMARILLO,	§	IN THE DISTRICT COURT
<i>Plaintiff,</i>	§	
	§	
v.	§	444 TH JUDICIAL DISTRICT
	§	
LOWE'S HOME CENTERS, INC. and	§	
LOWE'S HOME CENTERS, LLC	§	
<i>Defendant.</i>	§	CAMERON COUNTY, TEXAS

**DEFENDANT LOWE'S HOME CENTERS, LLC'S ORIGINAL ANSWER
TO PLAINTIFF'S ORIGINAL PETITION**

Defendant, Lowe's Home Centers, LLC (hereinafter referred to as "Defendant"),
hereby files its Original Answer as follows:

GENERAL DENIAL

1. Defendant denies each and every, all and singular, the material allegations contained within Plaintiff's pleadings and demands strict proof thereof.

JURY DEMAND

2. In accordance with Rule 216 of the Texas Rules of Civil Procedure, Defendant demands a trial by jury.

PRAYER FOR RELIEF

Defendant, Lowe's Home Centers, LLC, prays that Plaintiff take nothing by this lawsuit, that Defendant go hence with its costs without delay, and for such other and

further relief, both general and special, at law and in equity, to which Defendant may show itself justly entitled.

Respectfully submitted,

MAYER LLP

4400 Post Oak Parkway, Suite 2850
Houston, Texas 77027
713.487.2003/Fax 713.487.2019

By: Kevin P. Riley

Kevin P. Riley
State Bar No. 16929100
E-Mail: kriley@mayerllp.com
Rima C. Patel
State Bar No. 24090317
E-Mail: rpatel@mayerllp.com

**ATTORNEYS FOR DEFENDANT
LOWE'S HOME CENTERS, LLC**

CERTIFICATE OF SERVICE

This is to certify that on the 23rd day of November 2020, a true and correct copy of the foregoing has been forwarded to all counsel of record as follows:

Cody A. Dishon
Javier Cabanillas
THE FERGUSON LAW FIRM LLP
350 Pine Street, Suite 1440
Beaumont, Texas 77704
cdishon@thefergusonlawfirm.com
jcabanillas@thefergusonlawfirm.com

☒ E-MAIL/E-SERVICE
☐ HAND DELIVERY
☐ FACSIMILE
☐ OVERNIGHT MAIL
☐ REGULAR, FIRST CLASS MAIL
☐ CERTIFIED MAIL/RETURN RECEIPT REQUESTED

ATTORNEYS FOR PLAINTIFF

Rima C. Patel
Rima C. Patel

EXHIBIT 3

Case Information

2020-DCL-05234 | Rosa Camarillo vs. Lowe's Home Centers, Inc.,Lowe's Home Centers, LLC

Case Number	Court	Judicial Officer
2020-DCL-05234	444th District Court	Sanchez, David
File Date	Case Type	Case Status
10/27/2020	Other Injury or Damage	Pending

Party

Plaintiff
Camarillo, Rosa

Active Attorneys ▼
Lead Attorney
Lenz, Myles Anthony
Retained

Defendant
Lowe's Home Centers, Inc.

Address
May Be Served By Serving Its Registered Agent: Corporation
Service Company d/b/a CSC -Lawyers Incorporating Service Company
211 E. 7th Street Suite 620
Austin TX 78701

Defendant
Lowe's Home Centers, LLC

Address
May Be Served By Serving Its Registered Agent: Corporation
Service Company d/b/a CSC-Lawyers Incorporating Service Company
211 E. 7th Street Suite 620
Austin TX 78701

Active Attorneys ▼
Lead Attorney
RILEY, KEVIN P.
Retained

Events and Hearings

10/27/2020 Original Petition (OCA) ▼

Comment

Plaintiff's Original Petition And Request For Disclsoure

10/27/2020 Efiled Original Petition Document ▼

Comment

Plaintiff's Original Petition And Request For Disclsoure

10/27/2020 Jury Fee Paid (OCA)

10/29/2020 Citation Issued

10/29/2020 Citation Issued ▼

Comment

Emailed Citations To myles@shamiehlaw.com S.H.

10/29/2020 Citation ▼

Served

11/02/2020

Anticipated Server

Civil Process Server

Anticipated Method

In Person

Actual Server

Civil Process Server

Returned

11/05/2020

10/29/2020 Citation ▼

Served

11/02/2020

Anticipated Server

Civil Process Server

Anticipated Method

In Person

Actual Server
Civil Process Server

Returned
11/05/2020

11/05/2020 Service Return ▼

Affidavit of Service-Lowes Home Centers LLC20201104_11122675.pdf

Comment
Lowe's Home Centers, LLC

11/05/2020 Service Return ▼

Affidavit of Service-Lowes Home Centers Inc20201104_11131730.pdf

Comment
Lowe's Home Centers, Inc.

11/23/2020 Original Answer ▼

Comment
Defendant Lowe's Home Centers, LLC's Original Answer to Plaintiff's Original Answer

11/23/2020 Jury Fee Paid (OCA)

Financial

Camarillo, Rosa

Total Financial Assessment	\$363.00
Total Payments and Credits	\$363.00

10/27/2020	Transaction Assessment	\$363.00
------------	------------------------	----------

10/27/2020	E-File Electronic Payment	Receipt # 2020-20353	Camarillo, Rosa	(\$363.00)
------------	---------------------------	----------------------	-----------------	------------

Lowe's Home Centers, LLC

Total Financial Assessment	\$40.00
Total Payments and Credits	\$40.00

11/23/2020	Transaction Assessment	\$40.00
------------	------------------------	---------

11/23/2020	E-File Electronic	Receipt # 2020-	Lowe's Home Centers,	(\$40.00)
------------	-------------------	-----------------	----------------------	-----------

Payment

21951

LLC

Documents

Affidavit of Service-Lowes Home Centers LLC20201104_11122675.pdf

Affidavit of Service-Lowes Home Centers Inc20201104_11131730.pdf

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

ROSA CAMARILLO,
Plaintiff,

v.

LOWE'S HOME CENTERS, INC. and
LOWE'S HOME CENTERS, LLC
Defendants.

§
§
§
§
§
§
§

CIVIL ACTION NO. 1:20-cv-200
JURY TRIAL DEMANDED

COUNSEL OF RECORD AND INFORMATION PURSUANT TO
LOCAL RULE CV-81(C)

(1) A list of all parties in the case, their party type (e.g., plaintiff, defendant, intervenor, receiver, etc.) and current status of the removed case (pending, dismissed);

Plaintiff Rosa Camarillo

Defendant Lowe's Home Centers, Inc. (an improper party)

Defendant Lowe's Home Centers, LLC

The removed case is currently pending.

(2) A civil cover sheet and a certified copy of the state court docket sheet; a copy of all pleadings that assert causes of action (e.g. complaints, amended complaints, supplemental complaints, counterclaims, cross-actions, third party actions, interventions, etc.); all answers to such pleadings and a copy of all process and orders served upon the party removing the case to this court, as required by 28 U.S.C. § 1446(a).

See attached civil cover sheet and documents attached to Defendant's Notice of Removal as ***Exhibit "A."***

(3) A complete list of attorneys involved in the action being removed, including each attorney's bar number, address, telephone number and party or parties represented by him/her;

SHAMIEH LAW, PLLC

Ramez F. Shamieh
State Bar No. 24066683
Myles A. Lenz
State Bar No. 24092685
Email: myles@shamiehlaw.com
1111 West Mockingbird Lane, Suite 1160
Dallas, Texas 75247
214.389.7333 / 214.389.7335 – fax

Counsel for Plaintiff

MAYER LLP

Kevin P. Riley
State Bar No. 16929100
Southern Bar No. 13776
Email: kriley@mayerllp.com
Rima C. Patel
State Bar No. 24090317
Southern Bar No. 3589240
Email: rpatel@mayerllp.com
4400 Post Oak Parkway, Suite 2850
Houston, Texas 77027
713.487.2000/713.487.2019 – fax

Counsel for Defendant
LOWE'S HOME CENTERS, LLC

(4) A record of which parties have requested a trial by jury (this information is in addition to placing the word "jury" at the top of the Notice of Removal immediately below the case number);

Plaintiff, Rosa Camarillo has requested a trial by jury;

Defendant, Lowe's Home Centers, LLC has requested a trial by jury.

(5) The name and address of the court from which the case is being removed.

444th Cameron County District Court
Judge David Sanchez
Cameron County Courthouse and Cameron County Veterans
Treatment Court
974 E. Harrison Street
Judicial Building, First Floor
Brownsville, Texas 78520